



**Project #18-013  
Cache Valley Mall Subdivision  
1300 North Main**

**REPORT SUMMARY...**

*Project Name:* Cache Valley Mall Subdivision  
*Proponent / Owner:* Michael Gavin / Cache Valley Realty LLC, Cache CH LLC, Cache Nassim LLC  
*Project Address:* 1300 North Main Street  
*Request:* 8 Lot Commercial Subdivision  
*Current Zoning:* Commercial (COM)  
*Type of Action:* Quasi-Judicial  
*Hearing Date:* March 22, 2018  
*Submitted By:* Russ Holley, Senior Planner

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**RECOMMENDATION**

Staff recommends that the Planning Commission **conditionally approve** a Subdivision Permit for Project #18-013, Cache Valley Mall Subdivision, in the Commercial (COM) zone located 1300 North Main Street, TIN# 05-014-0006; -0041.

*Current Land use adjoining the subject property*

<i>North:</i>	COM: Commercial Uses	<i>East:</i>	COM: Commercial Uses
<i>South:</i>	COM: Commercial Uses	<i>West:</i>	COM: Commercial Uses

**Subdivision Proposal**

The applicant is proposing an 8-lot commercial subdivision located on the 34.65-acre Cache Valley Mall property. The property currently contains eight (8) separate buildings. The 4-block site is bounded by Main Street, 1400 North, 200 East and 1250 North with ten (10) driveway access points along the perimeter. Most of the acreage on-site is developed as asphalt parking lots and drive aisles. The large mall building is situated near the center of the site with seven smaller "pad" buildings placed near the outer edges. Trees and landscaping are sprinkled throughout the site and along street edges.

**Access & Streetscapes**

The surrounding streetscapes are currently fully improved with curb, gutter, sidewalk and park-strip. Lot #8, the largest proposed, is shown with access points onto all four (4) surrounding streets. Lot # 1 and Lot # 3 are both shown with one access onto Main Street. The remaining five (5) lots are shown with no direct street access, only parking lot drive aisle connections. As conditioned with cross-access easements throughout the site as per Land Development Code (LDC) 17.38.090.D, the project meets the requirements in the LDC.

**Density & Lot Size**

The COM zone does not require minimum lot sizes, only building setbacks, lot coverages, parking and landscaping minimums. With a fully developed site that includes buildings, parking lots and landscaping, setbacks would be applicable for compliance review with the LDC. As proposed, the subdivision meets the requirements in the LDC.

**Site Development**

*Setbacks*

The LDC requirements for building setbacks in the COM zone are as follows (as measured from property lines):

Front: 10 feet  
Side: 8 feet

Rear: 10 feet  
Parking: 15 feet

As proposed, the subdivision meets setback requirements in the LDC.

#### *Structures & Open Space*

Building heights are permitted up to 38' tall with a wide variety of materials and designs allowed. The existing mall building was originally constructed in 1976 with numerous additions and remodels subsequent. The outer pad buildings were built between circa 1980-2009, with the Texas Roadhouse building being the newest in 2009. For new developments, the COM zone requires 10% Open Space and 10% Useable Outdoor Space. As future development occurs at the Cache Valley Mall, each proposal will be required to provide adequate open space and landscaping.

#### **AGENCY AND CITY DEPARTMENT COMMENTS**

Comments were solicited from the following departments or agencies:

• Light and Power	• Engineering
• Water	

#### **PUBLIC COMMENTS**

Notices were mailed to property owners within 300 feet of the subject property. As of the time of this report no comments have been received.

#### **PUBLIC NOTIFICATION**

Legal notices were published in the Herald Journal on 3/11/18 and the Utah Public Meeting website on 3/14/18. Public notices were mailed to all property owners within 300 feet of the project site on 3/5/18.

#### **RECOMMENDED CONDITIONS OF APPROVAL**

*This project is subject to the proponent or property owner agreeing to comply with the following conditions as written, or as may be amended by the Planning Commission.*

1. All standard conditions of approval will be recorded with the Subdivision Permit and are available in the Community Development Department.
2. Eight (8) commercial lots are approved with this subdivision permit.
3. Cross access easements between lot #8 and lots 1-7 shall be labeled on the final plat.
4. A cross parking agreement shall be submitted and approved by Logan City prior to the recordation of the final plat.
5. The final plat shall be recorded within one (1) year of this action with subsequent phases each one year following or comply with LDC 17.58 Expirations and Extensions of Time.
6. Provide 10' public utility easement on all property lines at the bounds of the subdivision and 5' PUE on all other property lines.
7. A master signage plan shall be submitted and approved prior to final plat recordation that complies with LDC signage allowances as per 17.40.
8. Prior to recording of a Final Plat or issuance of a Building Permit, the Director of Community Development shall receive a written memorandum from the following departments indicating that their requirement has been satisfied:
  - a. Light and Power:
    - PUE's- Public Utility Easements on all property lines (10' PUE on all property lines facing a road and a 5' PUE on all other property lines)
  - b. Engineering:
    - Provide a 10' wide utility easement on all existing utilities running through the site, this includes but is not limited to water, sewer, gas, electrical, communication, etc.
    - Provide a cross access agreement between all parcels shown on plat.

- If required by Community Development, provide shared parking agreement(s)
  - Provide documentation (recorded at County) of how utilities, parking lot, accesses will be maintained by subdivision property owners.
  - Provide shared storm water easements to accommodate existing system.
  - Provide City with a Private Water Utility agreement (to be recorded at County).
- c. Water:
- All separated buildings and or units (culinary water use) and or landscape irrigation should have its own high hazard back flow assembly installed and tested to separate water hazards from one another.
  - All fire protection systems connected to Logan Cities water must have a minimum DC (ASSE1015) installed and tested.
  - All water points of use should comply with 2015 IPC and State of Utah Amendments.

### **RECOMMENDED FINDINGS FOR APPROVAL FOR THE SUBDIVISION PERMIT**

*The Planning Commission bases its decisions on the following findings supported in the administrative record for this project:*

1. The proposed subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because the subdivision meets the minimum requirements of the LDC.
2. Each lot conforms to the requirements of Title 17 of the Logan LDC in terms of lot size and development requirements.
3. The Subdivision Permit conforms to the requirements of Title 17.47 concerning legal noticing, hearings, procedures, application requirements and plat preparations.
4. Main Street and 1400 North provide infrastructure, utilities and are adequate in size to handle anticipated traffic.

This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report and become the Certificate of Decision. The Director of Community Development reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.



# APPLICATION FOR PROJECT REVIEW

☒ Planning Commission   ☐ Land Use Appeal Board   ☐ Administrative Review

Date Received <b>02/16/2018</b>	Received By <b>Arollan</b>	Receipt Number <b>312957</b>	Zone <b>COM</b>	Application Number <b>PC 18-013</b>
Type of Application (Check all that apply): <input type="checkbox"/> Design Review <input type="checkbox"/> Conditional Use <input checked="" type="checkbox"/> Subdivision <input type="checkbox"/> Zone Change <input type="checkbox"/> Administrative Design Review <input type="checkbox"/> Code Amendment <input type="checkbox"/> Appeal <input type="checkbox"/> Variance <input type="checkbox"/> 4950' Design Review <input type="checkbox"/> Other _____				
PROJECT NAME <b>Cache Valley Mall Subdivision</b>				
PROJECT ADDRESS <b>1300 North Main Street, Logan, UT 84341</b>			COUNTY PLAT TAX ID # <b>05 -- 014 -- 0006</b>	
AUTHORIZED AGENT FOR PROPERTY OWNER (Must be accurate and complete) <b>Michael J. Gavin, Esq, Agent for the Applicant</b>			MAIN PHONE # <b>610-715-1810</b>	
MAILING ADDRESS <b>855 Hillsdale Road</b>		CITY <b>West Chester</b>	STATE <b>PA</b>	ZIP <b>19382</b>
EMAIL ADDRESS <b>mgavin@gavinlaw.net</b>				
PROPERTY OWNER OF RECORD (Must be listed) <b>Cache Valley Realty LLC, Cache CH LLC, and Cache Nassim LLC</b>			MAIN PHONE # <b>610-715-1810</b>	
MAILING ADDRESS <b>c/o Michael J. Gavin, Esq, 855 Hillsdale Road,</b>		CITY <b>West Chester</b>	STATE <b>PA</b>	ZIP <b>19382</b>
EMAIL ADDRESS <b>mgavin@gavinlaw.net</b>				
DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE PRESENTED (Include as much detail as possible - attach a separate sheet if needed)  <b>The purpose of this plan is to subdivide some of the existing stores within the Mall and on the perimeter of the Mall property away from the existing Mall property.</b>  <b>- NO SITE ACTIVITY MAY OCCUR UNTIL AFTER APPROPRIATE COMMITTEE APPROVAL -</b>			Total Lot Size (acres) <b>34.68 acres</b>	
			Size of Proposed New Building (square feet) <b>Lots Range from 19,936 sf to 818,875 sf.</b>	
			Number of Proposed New Units/Lots <b>10</b>	
I certify that the information contained in this application and all supporting plans are correct and accurate. I also certify that I am authorized to sign all further legal documents and permits on behalf of the property owner.			Signature of Property Owner's Authorized Agent 	
I certify that I am the property owner on record of the subject property and that I consent to the submittal of this project. I understand that all further legal documents and permits will be sent to my authorized agent listed above.			Signature of Property Owner	



Preliminary Plat for  
**Cache Valley Mall Subdivision**  
 Logan City, Cache County, Utah, February 2018  
 A Part of the Northwest Quarter of Section 27 and a Part of  
 the Northeast Quarter of Section 28, Township 12 North,  
 Range 1 East, Salt Lake Base & Meridian

**SURVEYOR'S CERTIFICATE**

I, K. Greg Hansen, do hereby certify that I am a Registered Professional Land Surveyor in the State of Utah in accordance with Title 56, Chapter 22, Professional Engineers and Land Surveyors Act; and by the Authority of the Owners, I have Completed a Survey of the Property Described and Shown Hereon this Plat in accordance with Section 17-23-17 and have Verified all Measurements, and have Placed Monuments as Represented on this Plat, and have Hereby Subdivided said Tract into Ten (10) Lots, know Hereafter as Cache Valley Mall Subdivision and that the same has been Surveyed and Monuments have been Located and/or Placed on the Ground as Represented on the Plat Hereon.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

K. Greg Hansen P.L.S.  
 Utah Land Surveyor License No. 167819



**SUBDIVISION BOUNDARY DESCRIPTION**

A PART OF BLOCK 1, PLAT "D", LOGAN FARM SURVEY, LOGAN, CACHE COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF 200 EAST STREET AND THE NORTH RIGHT-OF-WAY LINE OF 1250 NORTH STREET;

RUNNING THENCE NORTH 88°33'59" WEST 1358.84 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF 1250 NORTH STREET IN PART TO THE EAST RIGHT-OF-WAY LINE OF MAIN STREET (U.S. HIGHWAY 91); THENCE NORTH 01°08'20" EAST 58.69 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO THE SOUTHEAST CORNER OF LOGAN CITY CORPORATION PROPERTY TAX ID NO. 05-014-0059 PER ENTRY NO. 768508 AS RECORDED IN THE CACHE COUNTY RECORDERS OFFICE; THENCE ALONG THE BOUNDARY OF SAID LOGAN CITY CORPORATION PROPERTY THE FOLLOWING TWO (2) COURSES: (1) SOUTH 88°31'25" EAST 35.00 FEET; AND (2) NORTH 43°41'33" WEST 49.64 FEET TO SAID EAST RIGHT-OF-WAY LINE; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) COURSES: (1) NORTH 01°08'20" EAST 871.74 FEET; (2) NORTH 08°01'50" EAST 46.93 FEET; (3) NORTH 01°12'00" EAST 92.31 FEET; AND (4) NORTH 48°08'18" EAST 42.13 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF 1400 NORTH STREET; THENCE SOUTH 88°10'46" EAST 97.55 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE NORTHWEST CORNER OF GARR & P. ASSOCIATES PROPERTY TAX ID NO. 05-014-0043 PER ENTRY NO. 539399; THENCE ALONG THE BOUNDARY OF SAID GARR & P. ASSOCIATES PROPERTY THE FOLLOWING THREE (3) COURSES: (1) SOUTH 01°08'20" WEST 165.85 FEET; (2) SOUTH 88°49'01" EAST 73.60 FEET; AND (3) NORTH 01°08'20" EAST 167.60 FEET TO SAID SOUTH RIGHT-OF-WAY LINE; THENCE SOUTH 88°10'46" EAST 1037.43 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE NORTHWEST CORNER OF ROBERT F. STOKES PROPERTY TAX ID NO. 05-014-0007 PER ENTRY NO. 481693; THENCE ALONG THE BOUNDARY OF SAID ROBERT F. STOKES PROPERTY THE FOLLOWING TWO (2) COURSES: (1) SOUTH 01°31'17" WEST 122.10 FEET; AND (2) SOUTH 88°56'14" EAST 124.04 FEET TO THE WEST RIGHT-OF-WAY LINE OF SAID 200 EAST STREET; THENCE SOUTH 01°31'17" WEST 1000.66 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING. CONTAINING 34.679 ACRES.

**Notes:**

- 1- All of the surfaces areas on this plat that are not covered or occupied by a permanent structure are considered common area and as such are public utility easements.
- 2- All paved surfaces and existing drive approaches are covered with a pass-through easement on each of the 8 lots as shown and described hereon.
- 3- No structures may be built within any Public utility Easement, Except approved by the City Engineer.
- 4- Not all easements were able to be plotted as shown on ALTA Survey performed by Millman National Land Services on Jan. 30, 2018 and signed by Gerald L. Holton PLS No. 7219137-2201 but may affect subject property. Plotted easements are shown hereon.
- 5- Existing water and sewer lines shown hereon were determined from said ALTA Survey.
- 6- The proposed blanket Public Utility Easements hereon shall not be cause for any damage to the structures, services, or land of the Owner's, their Successors and Assigns, by reason of the installation, operation, and maintenance of the public utilities adjacent to current improvements. Some improvements or services, being sub-surface or aerial, may be not be identified on this drawing.

**Legend**

Subject Property Line	1" = 60'	Telephone Pedestal
Interior Lot Line		Fire Hydrant
Adjoining Property Line		Water Meter
Centerline		Water Valve
Public Utility Easement		Sewer Manhole
Existing Easement		Power Pole
Existing Building		Set 24"x5/8" Rebar with Cap
Parking Strips		Found rebar set by others
Fence Line		Street Monument
Storm Drain Existing		Section Corner
Water Line Existing		
Sewer Line Existing		
Power Line Existing		
Telephone Line Existing		
Gas Line Existing		
Existing Curb and Gutter		



**HANSEN & ASSOCIATES, INC.**  
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**COUNTY RECORDER'S NO.**

State of Utah, County Cache, Recorded and Filed at the Request of \_\_\_\_\_  
 Date \_\_\_\_\_ Time \_\_\_\_\_ Fee \_\_\_\_\_  
 Abstracted \_\_\_\_\_  
 Index \_\_\_\_\_  
 Filed In: File of Plots \_\_\_\_\_

County Recorder

